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# Security Council

Fiftieth Year

*Provisional*

**3549**th Meeting
Friday, 30 June 1995, 12 noon
New York

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| *President:* | Mr. Graf zu Rantzau | (Germany) |
| *Members:* | Argentina | Mr. Cárdenas |
| | Botswana | Mr. Legwaila |
| | China | Mr. Qin Huasun |
| | Czech Republic | Mr. Kovanda |
| | France | Mr. Mérimée |
| | Honduras | Mr. Martínez Blanco |
| | Indonesia | Mr. Wisnumurti |
| | Italy | Mr. Ferrarin |
| | Nigeria | Mr. Ayewah |
| | Oman | Mr. Al-Khussaiby |
| | Russian Federation | Mr. Sidorov |
| | Rwanda | Mr. Ubalijoro |
| | United Kingdom of Great Britain and Northern Ireland | Sir David Hannay |
| | United States of America | Mrs. Albright |

## Agenda

The situation in Liberia

Eleventh progress report of the Secretary-General on the United Nations Observer Mission in Liberia (S/1995/473)

95-85579 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Section, room C-178.

*The meeting was called to order at 12.20 p.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**The situation in Liberia**

**Eleventh progress report of the Secretary-General on the United Nations Observer Mission in Liberia (S/1995/473)**

**The President:** I should like to inform the Council that I have received a letter from the representative of Liberia in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Bull (Liberia) took a place at the Council table.*

**The President:** The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the eleventh progress report of the Secretary-General on the United Nations Observer Mission in Liberia, document S/1995/473.

Members of the Council also have before them document S/1995/521, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

The first speaker is the representative of Liberia, on whom I now call.

**Mr. Bull** (Liberia): You have climaxed your very successful tour of duty at the United Nations, Sir, with a brilliant performance as President of the Security Council for the month of June. On the eve of your departure I should like to join your many colleagues in wishing you every success in your future endeavours. The skilful manner in which you have presided over the work of the Council is evidence of your vast experience and outstanding skills as a diplomat.

Your predecessor, Ambassador Mérimée, also deserves our congratulations for his effective leadership of the Council during the month of May.

The delegation of Liberia would like to thank the Secretary-General, Mr. Boutros Boutros-Ghali, for the eleventh progress report on the United Nations Observer Mission in Liberia (UNOMIL), contained in document S/1995/473 of 10 June 1995. The Government and the people of Liberia deeply appreciate his abiding interest in and contribution to the peaceful resolution of the Liberian conflict. The report of the Secretary-General provides a detailed assessment of the peace process, its successes and shortcomings, and makes relevant observations and recommendations for the consideration of the Security Council.

We fully endorse the Secretary-General's recommendation that UNOMIL's mandate be extended, and we join in his appeal to Member States to contribute to the United Nations Trust Fund for Liberia and to assist the Economic Community of West African States (ECOWAS), and particularly its peace-keeping Monitoring Group (ECOMOG), in the discharge of its onerous duties in Liberia.

The Secretary-General's proposal for an extension of the mandate is justified in view of several positive developments in the peace process: the substantial measure of agreement among the Liberian factions as acknowledged by the Heads of State and Government of the ECOWAS Committee of Nine on Liberia during their summit meeting at Abuja, Federal Republic of Nigeria, from 17 to 20 May 1995; the visit of the leader of the National Patriotic Front of Liberia (NPFL), Mr. Charles Taylor, to Nigeria; the recent assumption by the Liberian National Transitional Government of administrative control of two additional political subdivisions of the country and the designation of those subdivisions as safe havens; and steps being taken to remove land mines on the Monrovia-Gbarnga highway and in other areas, in fulfilment of one of the important requirements of the disarmament process.

These are encouraging developments; however, we are aware of the rather slow progress in the peace process and the resulting high cost to the international community, particularly to the States members of the Economic Community of West African States which

continue to maintain a peace-keeping force in Liberia. The apparent lack of resolve on the part of leaders of the warring factions to honour their various undertakings has increased the scepticism of the international community as well as that of the Liberian people with regard to their political will and their intention to end the war.

It is my delegation's firm belief that the persistent demands of the international community that the factional leaders end the war and the suffering of the Liberian people have facilitated the progress achieved in the peace process thus far. Without the pressure and the active support of the United Nations, the Liberian conflict would long ago have degenerated into a state of anarchy. It is for this reason that my delegation would urge the reconsideration of any action by the United Nations which would suggest an abandonment of Liberia. Such an action would only embolden the warring factions to accelerate the use of arms and terror to achieve their political ends at the cost of increased suffering for the Liberian people.

There are several important measures which have not been implemented by the Liberian factions, including the installation of the Council of State, a comprehensive cease-fire, the disengagement of forces and the disarmament of combatants. Another matter of continuing concern is the violation by some Member States of the arms embargo on Liberia imposed by the Security Council in 1992.

The Liberian delegation renews its appeal to the leaders of the warring factions to implement without further delay the decisions I have mentioned. Experience has shown that with the active involvement of the United Nations these seemingly insurmountable problems can be resolved. It is therefore our sincere hope that this Organization will maintain its commitment to Liberia until genuine peace is achieved.

We convey our profound appreciation to all Member States, to States members of the Economic Community of West African States, and to non-governmental organizations for their support, and we appeal for continued humanitarian assistance to Liberia. In this connection, we endorse the draft resolution now before the Council and urge its unanimous adoption.

The legitimate aspiration of the Liberian people to live in peace and rebuild their lives following a devastating civil war is a fundamental human right which must not be denied them. And we believe that in the foreseeable future this Organization will be increasingly challenged by such problems and that it has a moral obligation to remain resolute in advancing the peace, development and well-being of all peoples. Our common humanity and interdependence demand nothing less.

**The President:** I thank the representative of Liberia for the kind words he addressed to me.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

**Mr. Ayewah** (Nigeria): The Secretary-General's eleventh progress report (S/1995/473) dated 10 June 1995, on the United Nations Observer Mission in Liberia (UNOMIL) presents a dismal and fairly depressing picture of the current situation in Liberia. It underscores in particular the continuing political, military and humanitarian difficulties confronting the country and the necessity to further explore modalities for advancing the peace process.

None the less, we must place on record the value of the continuing efforts of States members of the Economic Community of West African States (ECOWAS) in moving forward the peace process in Liberia, including the recent ECOWAS summit of the Committee of Nine, which was held in Abuja, Nigeria, from 17 to 20 May 1995. Although the summit was unable to record the expected breakthrough in all aspects of the Liberian political crisis, it did, in our view, produce substantial agreements on a number of contentious issues, including the composition of the Council of State. Moreover, it reaffirmed the commitment and determination of the Heads of State and Government of ECOWAS member States to assist the Liberian people in bringing peace to their country.

While it recognizes the limited progress that was made in Abuja, my delegation cannot but restate its disappointment at the inability of the Liberian factions and political leaders to rise above their individual ambitions, in the higher interest of peace, stability and national reconciliation, by committing themselves to the implementation of the agreements they reached and signed — from Cotonou through Akosombo to Accra. As we have stated on several occasions, we see it as true and

self-evident that the Liberian factions and political leaders bear the ultimate responsibility for finding a lasting solution to their political crisis.

The efforts of ECOWAS and of the international community can only be catalytic and complementary to those of Liberians themselves. It therefore behoves the Liberians to take advantage of the window of opportunity offered by the current positive momentum of the peace process and the cooperation being extended to them by the international community and ECOWAS, especially through its Monitoring Group (ECOMOG).

ECOMOG, we are proud to state, represents a first-case initiative by a subregional organization within the ambit of regional arrangements in crisis management and conflict resolution in respect of a situation that threatened not only the survival of a country but also regional and international peace and security. This no doubt gives practical expression to the cooperation envisaged in Chapter VIII of the United Nations Charter between regional organizations and the United Nations in the maintenance of international peace and security. The initiative of ECOMOG in Liberia was a pre-emptive bid to avoid chaos, destabilization and the total destruction of a country. It is a significant contribution to the peace process in that country. We are certain that, but for the timely intervention of ECOMOG, the history of Liberia would today be significantly different. These efforts therefore deserve to be acknowledged, encouraged and fully supported, and not construed or presented in any way to suggest that they constitute an impediment to the peace process. In this connection, we see merit in the concertation of efforts and the harmonization of views of all concerned in the search for solutions to the Liberian question.

With respect to the mandate of UNOMIL, my delegation had hoped for a renewal of at least three months, until 30 September 1995, as recommended by the Secretary-General in his report. In our view, such a time-frame is the minimum required for the Liberian parties to deliver fully on the new commitments they undertook in Abuja, as well as to enable the consultations that are currently taking place in the subregion, including the projected meeting of the Foreign Ministers of the Committee of Nine, to fructify. We are of the view that any undue shortening of the period would send a negative message to the factions in Liberia and could result in a full-scale resumption of fratricidal warfare.

UNOMIL's presence in Liberia is important not so much for its force level, which we would have wished to see at full strength, as for its symbolic and psychological implication as a demonstration of continued United Nations interest and involvement in the Liberian peace process. Any precipitate withdrawal or draw-down of UNOMIL's force level would send a wrong message to the Liberian people and the other countries of the subregion by conveying the impression that the United Nations was abandoning them in their hour of need. We are encouraged that, at least for now, there is no such intention on the part of the United Nations.

Equally important is the fact that the role of UNOMIL in Liberia can have form and consistency only if ECOMOG is enabled fully to discharge its obligations and responsibilities in the territory. There is therefore a need to assist ECOMOG with logistics and financial resources so that it can deliver on its commitments. Without a viable ECOMOG, UNOMIL's role and effectiveness in Liberia will be seriously constrained. We need to avoid this possibility.

As we anticipate a continued and reinvigorated United Nations presence in Liberia, let me state that my Government stands ready, together with other members of ECOWAS, to participate in the consultations that the Secretary-General intends to undertake prior to making his recommendations to the Security Council on the future of UNOMIL.

The unresolved political crisis in Liberia remains worrisome to the subregion. We therefore call on the Liberian factions and political leaders to make earnest efforts towards the full and immediate implementation of the Cotonou, Akosombo and Accra agreements, as a significant starting-point, as well as the agreements reached in Abuja, particularly regarding the composition of the Council of State. We further call on them to make additional but sustained efforts towards the installation of the Council of State, the re-establishment of a comprehensive cease-fire and the demobilization of all forces. We expect no less from them. They must be reminded that the patience and resources of the region and those of the international community are wearing thin. They must accept the logic of peace.

My Government has spared no efforts in contributing to the search for peace in Liberia. It will continue to do so, even within the constraints of its own limited resources, in the hope that the Liberian people will soon be able to resume their normal life and embark

on a process of national reconciliation, reconstruction and rehabilitation.

In view of the foregoing, my delegation supports the intent of this draft resolution and will vote in favour of it.

**Mr. Wisnumurti** (Indonesia): My delegation, at the outset, would like to register its sincere appreciation to the Secretary-General for his informative and useful report contained in document S/1995/473 of 10 June 1995, the eleventh in the series of progress reports on the United Nations Observer Mission in Liberia (UNOMIL).

We would like to express our appreciation to the Secretary-General and his Special Representative, Mr. Anthony Nyakyi, as well as to the leaders of the member States of the Economic Community of West African States (ECOWAS) for their untiring efforts to bring about peace in Liberia. In this context, we commend the convening of the Third Meeting of Heads of State and Government of the ECOWAS Committee of Nine on Liberia held in Abuja last month, which was aimed at coordinating and harmonizing their policies on Liberia. We share the view that the harmonization of ECOWAS policies on Liberia will greatly foster their combined efforts to bring the crisis, which has gone on for far too long, to an end. We note further that without such harmonization, the lack of which has become one of the significant obstacles to the peace process, the cooperation of the faction leaders in the peace process will be difficult to secure.

Some developments have occurred in Liberia over the past few months, but unfortunately they still do not create a climate conducive to the attainment of peace, stability and national reconciliation. The factions and political leaders, regrettably, are still unable to break the deadlock in reaching a final agreement towards the installation of the Council of State which, we believe, would contribute greatly to the search for peace and reconciliation in Liberia. It is my delegation's fervent hope that the follow-up consultations on this matter will result in a final agreement on the installation of the Council of State.

We share the assessment of the Secretary-General that the United Nations Observer Mission in Liberia (UNOMIL) will not be able to carry out its mandate successfully without the cooperation and support of the ECOWAS Monitoring Group (ECOMOG), as well as that of the warring factions. In this regard, we welcome the intention of the Secretary-General to consult ECOWAS with a view to enhancing cooperation between UNOMIL and ECOMOG and defining a joint concept of operations. In the same vein, we urge the Liberian parties to overcome their deep mistrust of one another and their unwillingness to share power in governing the country, which have kept them from extending the necessary cooperation.

We would also like to express our deep concern over the continued flow of arms into Liberia, in violation of the arms embargo, across the borders and from sources within Liberia. In this regard, we support the request of the ECOWAS leaders to ECOMOG and UNOMIL to improve the existing monitoring mechanism in order to stem the flow of arms into the country.

Another issue of concern to the Indonesian delegation is the continued blocking by the contending factions of access routes for the delivery of relief supplies. We therefore call on all Liberian parties to provide guarantees for the safety of humanitarian assistance delivery throughout the country in order to alleviate the unnecessary suffering of the civilian population.

My delegation also regrets that the Liberian leaders have still not laid down their arms for the greater good of their country, in spite of the many opportunities that have been provided by the international community to implement the various agreements they themselves have signed. Since the political future of Liberia depends on the Liberians themselves, they must therefore strive to demonstrate further their political will and sustained commitment to peace and stability in their country.

The draft resolution on Liberia before us today, *inter alia*, extends the mandate of UNOMIL to 15 September 1995 and declares the Council's readiness to consider restoring UNOMIL to its full strength if significant progress in the peace process in Liberia is achieved during the next extension of the mandate.

In view of the considerations that I have just mentioned, Indonesia will vote in favour of the draft resolution. This position is also based on our hope that during the next extension of the mandate the Liberian parties will avail themselves of this new opportunity to demonstrate, through concrete steps, their political will to resolve their own problems and to respect the role of international, regional and subregional organizations.

In this context, we urge the Liberian parties to see this extension as an opportunity to strive for substantial progress on all outstanding issues that remain unresolved,

particularly the installation of the Council of State, the re-establishment of a comprehensive and effective cease-fire, the disengagement of all forces and the creation of an agreed timetable and schedule for the implementation of all other aspects of the Akosombo and Accra agreements. The extension, we believe, could also contribute to the efforts of the ECOWAS Ministers of the Committee of Nine to reconvene a meeting of the Liberian parties in order to assist them in resolving those outstanding issues.

**Mr. Legwaila** (Botswana): Let me start, Sir, by expressing regret that this meeting represents the twilight of your very successful presidency. At midnight tonight you will retire from the helm of our Council and, as your professional fate has it, we learn that you will also be retiring from the diplomatic service of your great country. Allow me to extend to you my delegation's best wishes for the future.

I doubt if there is any member of this Council who does not share the frustration we must all feel at the failure to date to find a solution to the tragedy of Liberia. Yet we in the Botswana delegation continue to hold firm to our conviction that it would be unconscionable for the Council to lose hope in the search for peace in Liberia. The intractability of the situation in that tortured country is no doubt discouraging, but it would be wrong for this Council to give up trying to find a solution to it. We should not fail to use the opportunity within our grasp to give impetus to encouraging political developments in the area. The Abuja summit meeting of the Economic Community of West African States (ECOWAS) Heads of State and Government of the Committee of Nine on Liberia brought about dialogue among the Liberian parties and political leaders. The assessment of the ECOWAS Heads of State and Government was that:

> "a substantial measure of agreement had emerged among the parties on nearly all the issues that had remained unresolved" *(S/1995/473, annex I, para. 6)*.

The Security Council should encourage this process, as it holds a considerable degree of hope for peace in Liberia.

The Special Representative of the Secretary-General, Ambassador Nyakyi, last week informed the Council that the people of Liberia would very much like to see a continued presence of the United Nations Observer Mission in Liberia (UNOMIL). The primary victims of the tragedy in Liberia are the civilian population. They have been subjected to all forms of atrocities. Their most fundamental human right, the right to life, is violated with impunity. There is no one to protect them, as they have lost control of the political process to the rule of the gun. The United Nations is their source of hope, and the presence of UNOMIL assures them that the international community is actively engaged in the search for solutions to their tragedy. The States of the subregion that have committed substantial human and material resources to the pursuit of peace in Liberia have clearly stated that the contribution of UNOMIL to the peace process in Liberia far outweighs its numerical strength.

The Economic Community of West African States Monitoring Group (ECOMOG) has played an enormous role in alleviating the pain and suffering of the Liberian people. It has contributed to new experience in the responsibilities of regional organizations in the maintenance of peace and security under Chapter VIII of the United Nations Charter. My delegation strongly believes that their efforts provide important lessons for future peace-keeping operations and deserve the full support of the Security Council and the international community as a whole.

The draft resolution before us outlines a number of pertinent issues. It draws the attention of the political leaders of Liberia to the readiness of the Security Council to restore the United Nations Observer Mission in Liberia (UNOMIL) to its full strength and to contribute to post-conflict peace-building in their country provided that they demonstrate a corresponding readiness to place their country and people above their differences by taking urgent steps to install a Council of State which, in the view of my delegation, would facilitate agreement on the other issues stated in paragraph 4 (b) and (d) of the draft. We call upon the Liberian parties and political leaders to cooperate fully with the Ministers of the Committee of Nine of the Economic Community of West African States (ECOWAS) to resolve outstanding issues within the period of the extended mandate of UNOMIL.

The international community should play its part to help the peace process in Liberia. The Liberian parties continue to receive arms and ammunition in violation of resolution 788 (1992). The Heads of State and Government of the Committee of Nine on Liberia of the Economic Community of West African States have appealed to the international community to provide appropriate assistance to enable them to monitor the land and sea borders of Liberia. The States in the subregion have a pivotal role to play in the monitoring and stemming of the flow of arms to Liberia. We welcome their commitment to report violations of the arms

embargo to the United Nations sanctions committee. The positive response of the international community would therefore contribute substantially to addressing one of the root causes of the endless fratricidal war in Liberia.

It is the sincere hope of my delegation that the Liberian parties and political leaders will rise to the challenge of the moment by seizing the opportunity to make peace for the sake of their people. It would be most unfortunate if selfish, personal interests were to continue to occupy centre stage in that country. This extension of the UNOMIL mandate may be their very last chance.

**The President:** I thank the representative of Botswana for the kind words he addressed to me.

**Mr. Qin Huasun** (China) *(interpretation from Chinese)*: The conflict in Liberia has dragged on for five years, exacting a heavy toll on the economy and the life and property of the Liberian people, as well as posing a threat to peace and security in neighbouring countries and in western Africa as a whole. In recent years, the Economic Community of West African States (ECOWAS) has made tremendous efforts and sacrifices in the search for a settlement of the Liberian question even as its members struggle with their own economic difficulties. They have sent peace-keeping forces to Liberia in accordance with Chapter VIII of the Charter. Heads of State and Government concerned in the region have met on many occasions to offer good offices and mediation with a view to seeking a solution acceptable to all parties that will facilitate the political settlement of the Liberian question. We have noted from the recent report of the Secretary-General that these efforts have yielded initial results. The parties in Liberia have tentatively agreed on the installation of the Council of State and are ready to hold further talks with a view to working out an agreement. These are welcome developments.

However, we should also be aware that no remarkable progress has been achieved thus far in the peace process in Liberia, as evidenced by continuing military conflict, the obstruction of humanitarian relief efforts and the continued flow of large amounts of arms into Liberia. We are deeply concerned over this situation.

The repeated setbacks in the Liberian peace process have once again proved that peace cannot be achieved by military means. Persistence in patient negotiations in good faith and dialogue are the only way to a political solution acceptable to all the conflicting parties. What is important in this regard is the political will of the parties to commit themselves to a peaceful settlement and their resolute renunciation of military means. For this reason, we hope that the parties in Liberia will put State and national interests first and cooperate with the United Nations and ECOWAS, strictly comply with the agreements already reached and the relevant Security Council resolutions, and take practical and effective measures to stop all hostilities so as to create conditions for the final achievement of national reconciliation.

We have always maintained that the Security Council should attach the same importance to the settlement of conflicts in Africa as it does to conflicts on other continents and support the reasonable demands of the African countries and peoples, and should refrain from applying double standards when it comes to considering peace-keeping operations in Africa.

The Chinese Government and people have steadfastly supported the peace process in Liberia, as well as the efforts of the international community and ECOWAS for peace in Liberia. China has contributed military observers to UNOMIL and will provide rice, tents and other assistance worth RMB yuan 3 million to Liberia. The Liberian peace process is now at a critical moment when it must forge ahead or it will be driven back. The Chinese delegation believes that the adoption of the draft resolution before us will help advance the peace process in Liberia and we will therefore vote in favour of it.

**Mr. Martínez Blanco** (Honduras) *(interpretation from Spanish)*: Firstly, my delegation would like to thank the Secretary-General for the Eleventh Progress Report on the United Nations Observer Mission in Liberia (UNOMIL) (S/1995/473).

After considering this report, my delegation would like to express its regret that no significant progress has been achieved in Liberia and that the parties have as yet not reached a final agreement to install a Council of State and re-establish the cease-fire, measures essential to the implementation of the Accra Agreement.

The summit meeting of the Economic Community of West African States (ECOWAS) held in Abuja, Nigeria, in May demonstrates that some progress has been made on installing the Council of State and that a meeting of the parties to prepare an agreement in this regard is expected. We are not underrating this progress. However, questions remain unsolved which are relevant to ending the crisis in Liberia. The parties must agree to

an effective cease-fire, a separation of forces and a timetable and schedule for the peace process. Until hostilities in Liberia cease, the number of refugees and displaced persons will increase, violations of human rights will continue and the humanitarian situation will further deteriorate.

In his report, the Secretary-General recommends that a new opportunity be given to the parties to take concrete steps demonstrating their political will to end the crisis. In principle, and in view of the progress made in Abuja, my delegation agrees with this recommendation provided, however, that the parties fully cooperate in achieving peace by the end of the three-month period proposed. If the parties do not avail themselves of this opportunity, the presence of the United Nations in Liberia can no longer be justified and, as indicated in the report, it might be envisaged that UNOMIL become a good offices mission with a small military cell which would maintain liaison with ECOMOG.

My delegation, which participated in the preparation of the draft resolution now before the Council, is of the view that it contains a clear and concise message for the parties: if, within the period for which UNOMIL's mandate in Liberia is to be extended, they do not comply with four essential requirements, namely, the installation of the Council of State, the re-establishment of the cease-fire, the disengagement of all forces and the creation of an agreed timetable and schedule for the implementation of all other aspects of the agreements, in particular the disarmament process, the Council, following the submission of a report by the Secretary-General, will convert UNOMIL into a good offices mission.

Finally, in our view the Liberian factions bear direct responsibility for the existing crisis and, therefore, only they can decide the fate of the Liberian people. My delegation will vote in favour of the draft resolution in the hope that it will make a decisive contribution to the promotion of peace, reconciliation and stability in Liberia.

**Mr. Ubalijoro** (Rwanda): At the outset, I should like to express to you, Mr. President, our profound gratitude and appreciation for the exemplary and dynamic manner in which you have conducted the business of the Security Council this month. Allow me also to bid you farewell, as you are about to retire from the diplomatic service. The support and help you have given to my delegation as a representative of a country that is a good friend of Rwanda's will always be treasured and remembered.

I should also like to thank your predecessor, the Ambassador of France, Jean-Bernard Mérimée, for the able manner in which he conducted the Council's affairs last month.

My delegation attaches particular importance to the draft resolution before the Council because we strongly empathize with our Liberian brothers for the painful daily ordeals they are currently being challenged with. After carefully considering the Secretary-General's eleventh progress report on the United Nations Observer Mission in Liberia (UNOMIL) and the encouraging briefing of the Special Representative of the Secretary-General, Mr. Anthony Nyakyi, my delegation is more than convinced that it should vote in favour of the extension of UNOMIL's mandate until 15 September 1995. My delegation is also of the view that a two-and-a-half month renewal of UNOMIL's mandate must not be considered a huge request, even though certain difficulties continue to prevail, such as the lack of respect for the cease-fire, lack of respect for the arms embargo and other frustrating delays that continue to hinder many of the efforts carried out in the tireless search for a peaceful solution to the Liberian conflict.

My delegation is also of the view that it is of paramount importance for UNOMIL's mandate to be extended at this critical juncture in order to reassure the people of Liberia and simultaneously to send a strong message to the key political players in the Liberian conflict, telling them that at the present time not only is the fate of their people in their hands, but also that an entire nation's chances of survival depend on their good sense, *bona fides* and responsibility. It is imperative that the leaders of the Liberian factions learn from the lessons of Rwanda last year, where a handful of evil-minded and careless politicians of a former regime, inspired by political opportunism and demagoguery, plunged our country into one of the most frightening, horrendous and barbaric bloodbaths in the history of mankind.

My delegation openly welcomes the presence of UNOMIL in Liberia because of its good intentions, strong commitment and determination to do well in Liberia. My delegation would also like to congratulate the regional and subregional efforts carried out by African countries in their quest for a peaceful solution to the Liberian conflict. There is no need to recall that the Economic Community of West African States (ECOWAS) and the ECOWAS Monitoring Group (ECOMOG) were deployed in Liberia at a very critical moment, when the situation in Liberia was at the peak of

escalation and about to degenerate into unprecedented disaster.

In this connection, considering the positive momentum in the current peace negotiations, we should like to reiterate that the time has come for the international community to provide Liberia with adequate resources. Indeed, we strongly believe that the regional and subregional organizations have made significant efforts in trying to promote peace in Liberia. In this regard, considering the difficult economic situation and lack of means, my delegation would like to call upon the moral authority of the international community to give Liberia, regional organizations and subregional organizations a hand so that in the times to come Africans will gain more skills, experience, and ability in solving their own problems without necessarily having to call on third parties to solve problems that they do not consider theirs.

**The President:** I thank the representative of Rwanda for the kind words he addressed to me.

The Council will now proceed to the vote on the draft resolution contained in document S/1995/521.

*A vote was taken by show of hands.*

*In favour:*

Argentina, Botswana, China, Czech Republic, France, Germany, Honduras, Indonesia, Italy, Nigeria, Oman, Russian Federation, Rwanda, United Kingdom of Great Britain and Northern Ireland, United States of America

**The President:** There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1001 (1995).

I shall now call on those members of the Council who wish to make statements following the voting.

**Mrs. Albright** (United States of America): I, along with my colleagues, would like to congratulate you, Mr. President, on a remarkable month, which was indeed calm. You did an exemplary job. I should also like to offer my personal congratulations on your retirement and your brilliant career. We will miss you and we wish you Godspeed.

Today the Council faces once again the tragic situation in Liberia. My Government supports today's resolution extending the mandate of the United Nations Observer Mission in Liberia (UNOMIL) despite our deep disappointment over the progress of that Mission. My Government, along with many others, has laboured hard to bring about peace in that country. The United States has contributed the bulk of the money in the special Trust Fund for Liberia — over $20 million. We have appointed a Special Envoy to assist with the Liberian peace process. Sadly, we have not had the cooperation of the Liberian parties, which remain engaged in a brutal struggle for power that no faction can win.

Despite the diplomatic efforts by Ghanaian President Rawlings to bring the Liberian factions together, there is no accepted political settlement. Despite the commendable efforts of the Economic Community of West African States (ECOMOG) forces to provide security, the fighting continues.

The international community sent UNOMIL to monitor a cease-fire. But the fighting did not cease. Instead, UNOMIL troops have been abused and humiliated by the warlords whose country and people they came to assist. Humanitarian relief workers also came to help. But the ravages against innocent civilians did not stop. Instead, relief workers have been harassed and treated with inhumanity.

The political future of Liberia depends on the willingness of the Liberian factions to compromise. We have been patient. We have extended UNOMIL for over a year now, each time with sterner warnings to the Liberian factions. But patience must have a purpose. In April we pinned our hopes on the regional summit, providing the Liberians with a series of recommended steps to show their dedication to the cause of peace. But again we have been disappointed. Not one of those steps has been carried out.

The Council agrees today to one more extension of UNOMIL, at the urging of the States in the region that see a faint glimmer of hope. But the Liberians must understand that words will no longer be enough to convince us that they want peace: there must be actions. Unless by 15 September there is a real cease-fire, the installation and assumption of real authority by a new Council of State, a serious commitment by all the factions to disarmament and disengagement and a specific schedule for the rest of the peace process, UNOMIL will end.

The members of this Council and the Members of the United Nations still have hope for Liberia. This final extension of the mandate of UNOMIL is an expression of our hope. But it is a hope that can be fulfilled only if those who are prolonging the conflict recognize that there is no real future for them or their country in the absence of a commitment to peace.

**The President:** I thank the representative of the United States for the kind words she addressed to me.

**Mr. Thiebaud** (France) (*interpretation from French*): Nearly two years ago the Security Council decided to establish the United Nations Observer Mission in Liberia (UNOMIL). The operation was created to follow up on the agreement between the Liberian parties concluded at Cotonou on 25 July 1993. When it adopted resolution 866 (1993), the Security Council thought that peace would soon be restored in Liberia and that free and democratic elections would soon be held there.

Two years have gone by, and unfortunately nothing has happened. To the contrary, the situation in Liberia continues to deteriorate. Following the Cotonou agreement, other agreements have been signed, first at Akosombo, then at Accra on 21 December 1994. These agreements have been systematically violated. The cease-fire was broken as early as September last year. The humanitarian situation has become increasingly alarming. And UNOMIL is no longer able to fulfil the mandate entrusted to it by the Council.

Yet it cannot be said that the international community has not been patient. Perhaps it has been a little too patient. The resolution we have just adopted has the virtue of stating things clearly. It underscores three basic elements. First of all, it recalls that a final settlement of the crisis in Liberia depends primarily on the determination of the factions to reach an agreement. We consider, indeed, that the factions bear full responsibility for the situation of hundreds of thousands of civilians, who have had to leave their villages to seek refuge in the capital or in neighbouring countries.

Secondly, it gives the Liberians a further two and a half months to sit down at the negotiating table and fully implement the Akosombo and Accra agreements, including the installation of the Council of State, the re-establishment of the cease-fire, the disengagement of all forces, and the creation of a new timetable for the implementation of the peace agreements, in particular the disarmament process.

Finally, if the factions make no effort to overcome their differences, the Council will take the logical step of ending the existence of UNOMIL.

The Council's message is therefore crystal clear: the factions must understand that we consider 15 September to be a sort of ultimatum. If wisdom prevails over conflict, however, the United Nations will continue to help Liberians restore peace and democracy in their country. Hence, we take one final opportunity to encourage all those of good will — first and foremost the faction leaders, but also the leaders of countries of the region — to seize the opportunity presented by this resolution.

My delegation expresses its warm gratitude for the efforts made thus far by President Rawlings and by the Special Representative of the Secretary-General, Mr. Nyakyi, who is our line of communications with all parties in the field.

The war in Liberia has continued for more than five years. It has cost some 150,000 lives. An entire country has been ravaged. It is shocking to note that the warlords seem to be satisfied with this tragic situation. My Government hopes that the appeal of the Council will be heeded, and that Liberia will soon return to the path of progress and reconciliation.

**Mr. Al-Khussaiby** (Oman): We too wish to join the representative of the United States in congratulating you, Sir, on a smooth month during your presidency. We would like also to wish you the very best on your way towards retirement.

Oman has joined the consensus and voted in favour of the resolution just adopted, extending the mandate of the United Nations Observer Mission in Liberia (UNOMIL) until 15 September 1995, because we continue to be of the opinion that the international community should continue to render its support to the Liberian peace process, albeit not indefinitely or unconditionally. In this connection, we support the linkage in paragraph 2 between the continuation of that support and the need for immediate action on the part of the Liberian parties to peacefully resolve their differences and achieve national reconciliation.

The resolution we have just adopted is, in our opinion, different from previous Security Council resolutions on the situation in Liberia in the sense that it is not a "business-as-usual" renewal of mandate, and

could well be the last of its kind unless substantial progress is achieved by the parties towards the implementation of the Akosombo and Accra agreements.

Furthermore, the message contained in this resolution is loud and clear: the parties have had ample time to demonstrate their desire for peace. Now, the time has come for them to make a choice: either they continue down the path of sustained fighting and political stalemate, in which case they cannot and should not count on the international community's support for the peace efforts in their country; or, on the other hand, they demonstrate through concrete steps the political will necessary to bring the long-standing Liberian crisis to an end. In that case, they would richly deserve the sustained support of the international community. We sincerely hope that the Liberian parties will opt for the second course of action and take full advantage of the next two and a half months to implement fully and in good faith the steps mentioned in paragraph 4 of resolution 1001 (1995), which we have just adopted.

UNOMIL, in conjunction with the Economic Community of West African States (ECOWAS) Monitoring Group (ECOMOG), has made a tireless effort to assist the Liberian people to overcome their tragedy. While we commend and salute these efforts, we reiterate the very important fact that the burden of achieving peace and national reconciliation rests primarily on the Liberian people themselves. Accordingly, we urge the Liberian parties to demonstrate a sense of responsibility by overcoming their differences pertaining to the installation of the Council of State and to the implementation of the relevant aspects of the Cotonou and Accra agreements so that the Liberian people can ultimately taste the fruit of peace, security and stability.

Finally, we commend the Secretary-General, his Special Representative, ECOMOG and UNOMIL for their tireless efforts in assisting the Liberian people to bring about a peaceful settlement of their conflict.

**The President:** I thank the representative of Oman for the kind words he addressed to me.

**Mr. Sidorov** (Russian Federation) (*interpretation from Russian*): We wish first of all to thank you, Sir, for your skilful leadership of the Security Council during the month of June, and to extend to you our best wishes on your forthcoming departure from New York.

The Russian Federation is gravely concerned at the complex situation in Liberia and at the continued fratricidal armed conflict in that country, which has brought countless disasters to the civilian population and which threatens the further destabilization of the situation in the region.

We note with regret that half a year has passed since the signing of the Accra agreement, but that the Liberian parties have not implemented its basic provisions, thus demonstrating a clear disregard for the future of their own country and for the aspirations of its people, a people essentially held hostage to the personal political ambitions of the leaders of the armed factions.

The continuing political impasse in the Liberian peace process is a sign of a dangerous trend, also manifested in the Liberian parties' disregard of the numerous appeals issued by the international community and by African regional organizations, in particular the Economic Community of West African States (ECOWAS), and of the vigorous efforts aimed at the speedy achievement of a political settlement in that country. The situation that has now arisen there compels us to think seriously about the need for a thorough review of the role of the United Nations Observer Mission in Liberia (UNOMIL) along the lines of the proposals set forth in the Secretary-General's report.

The Russian delegation voted in favour of the resolution that has just been adopted, doing so on the basis of the premise that it is adequate to deal with the real state of affairs in Liberia. It contains an extremely clear-cut and stern warning to the effect that the Security Council will not permit any further disregard of its decisions and does not intend to renew the mandate of UNOMIL if the concrete provisions necessary for the real launching of the peace process in Liberia have not been complied with by 15 September. At the same time, the resolution makes clear the international community's readiness actively to promote the peace process in that country, including a period of post-conflict peace-building, if the conditions that have been set are fulfilled.

Obviously, the restoration of peace and national reconciliation in Liberia is first and foremost a matter for Liberians themselves. We venture to hope that this time the Liberian parties will correctly assess the full seriousness of the international community's intentions and carefully weigh all the consequences, and will not miss what might be the last real chance for a speedy settlement of the political crisis in Liberia.

**The President:** I thank the representative of the Russian Federation for his kind words addressed to me.

**Mr. Ferrarin** (Italy): Allow me first of all to express my delegation's warmest congratulations to you, Mr. President, for the outstanding way in which you have presided over the work of the Security Council during the month of June and to convey its best wishes to you on your way to retirement.

Italy welcomes the adoption of the resolution on the renewal of the mandate of the United Nations Observer Mission in Liberia (UNOMIL) until 15 September 1995.

During the course of the consultations we, like many other delegations, stated that unless the warring factions reached a major breakthrough in the ongoing political negotiations and took some practical steps to begin implementing the Akosombo and Accra agreements the UNOMIL mandate could not be renewed. We also share the Secretary-General's view that in that event UNOMIL would have to be turned into a good-offices mission.

As others have already said, the true and real victim of the present situation in Liberia is the civilian population. The United Nations and the international community have a responsibility not to abandon Liberian men, women and children to the chaos and violence of civil war. But once again we must point out that attempts to provide aid and material assistance to Liberia have been hindered by obstacles set up by the factions.

Our hope is therefore that the parties in conflict can finally reach an understanding, in the higher interest of peace and stability in the country and in the entire region. There are still some grounds for optimism, thanks to the mediation of the countries of the Economic Community of West African States (ECOWAS), whose action we highly commend. The Liberian factions must not waste this last opportunity. They must realize that the prosecution of the conflict can only make it impossible for the international community to continue to provide assistance to the country. The experiences of the recent past have taught us that there is little that the United Nations and the international community can do if there is no true desire for peace on the part of the parties in conflict.

We therefore renew our appeal to the Liberian factions to go back in good faith to the negotiating table.

**The President:** I thank the representative of Italy for his kind words addressed to me.

**Mr. Cárdenas** (Argentina) (*interpretation from Spanish*): I should like first to convey to you, Sir, our great thanks for your excellent work as President of the Security Council and as Germany's representative to the Council.

I should like to thank the Secretary-General for his comprehensive report on the situation in Liberia. We regret the sombre picture that it paints. Since the adoption of the Council's resolution in April the parties in Liberia have been unable to make any substantive progress in respect of almost any of the measures in that resolution that the Security Council urged them to take. We are referring to the installation of the Council of State, the re-establishment of the cease-fire and steps towards the implementation of the other provisions of the Accra agreement.

As a result of the current state of affairs the humanitarian situation continues to deteriorate, and violations of human rights persist. Indeed, those who are trying to alleviate difficulties in the field have themselves been victims of mistreatment.

For all these reasons the Council is obliged, in this resolution, to reiterate identical appeals. Despite this, the convening of the Economic Community of West African States (ECOWAS) summit, while not entirely productive, resulted, in the view of the Heads of State and Government of ECOWAS, in considerable progress towards an agreement on many of the outstanding issues. And the door was left open for the convening of another meeting of the Liberian parties.

As a result of that summit, according to information provided by the Secretary-General's Special Representative, Ambassador Nyakyi — to whom we express our deep appreciation for the work he is doing — contacts between some of the Liberian factions and countries of the region have made progress, making possible an additional meeting of those factions in the near future.

In this connection, we should like to emphasize the positive nature of the meeting held between the Nigerian authorities and Mr. Charles Taylor, the leader of the National Patriotic Front of Liberia. These positive signs give the impression that, finally, there may be a slight change in the factions' attitude to the conflict, and the Council therefore stands ready to provide the Liberian parties with a new opportunity. However, this additional

opportunity will merely be a repetition of the one that was offered in April.

The lack of concrete progress in the political process and, which is even more serious, with regard to the cease-fire, the lack of harmonization in the policies and efforts of all the parties involved and the unfortunate continuation of the flow of arms to the country have now made it necessary to make international support conditional on the existence of real, concrete political will among the parties peacefully to resolve their differences and achieve national reconciliation. This is why the UNOMIL mandate is being renewed for a period of two and a half months, on the understanding that the parties will comply with the terms of paragraph 4 of the resolution. The future of UNOMIL, as indicated in paragraphs 5 and 6, is entirely in the hands of the Liberian parties.

We should like particularly to acknowledge the African countries that have provided troops for the Monitoring Group of ECOWAS (ECOMOG) and the positive role that that body has been playing through its efforts to establish peace, security and stability in Liberia. We are encouraging it to continue unfailingly to discharge its mandate and to undertake measures that would reinforce the embargo on the supply of weapons to Liberia.

We also commend UNOMIL for they way in which it has accomplished its difficult tasks and encourage it to step up its cooperation with ECOMOG in the discharge of their respective mandates. We hope that the international community will continue to contribute to the peace process in Liberia, to alleviate the humanitarian situation of its suffering people and to help the forces of ECOMOG fully to discharge their mandate.

It is our hope that the leaders of the various factions will now be able to deal squarely with the situation. They should not let this opportunity, which may be their last, elude them. They must heed their peoples and the combatants in Liberia who, tired of war, would surely welcome the speedy implementation of the peace process.

**The President:** I thank the representative of Argentina for his kind words addressed to me.

**Mr. Kovanda** (Czech Republic): Allow me, too, to congratulate you, Sir, on your service as your country's representative on the Security Council this year, culminating in your skilful management of the Council as its President this month. Your tenure among us has amounted to a fitting capstone to your long and distinguished diplomatic career, and we will miss you.

Liberia is in imminent danger of becoming another failure for the peace-keeping efforts of the United Nations. It has been said all too often that there is no place for peace-keepers where there is no peace to keep. This is demonstrably the case in that tormented country. The factions of the civil war are splitting into ever smaller, ever more vicious, ever more self-centred splinter groups whose members are frequently interested in little more than self-aggrandizement, personal gain, killing for the sake of killing, and drugs. It is precisely the people of Liberia who bear the ultimate responsibility for achieving peace and national reconciliation. The price the international community is prepared to pay to help them in this effort is fast reaching its limits.

The last time we discussed Liberia in this forum, there was a glimmer of hope extended by the factions: the meeting in Abuja. That meeting was postponed from one date to the next and in the end achieved results which, to be generous, we can only describe as modest. Charles Taylor's absence from Abuja was in our view inexcusable.

Today, these same factions are dangling another promise of hope in front of the Security Council. But many of us are fed up. We have voted to extend the mandate of the United Nations Observer Mission in Liberia (UNOMIL) for another two-and-a-half months. But we insist that, during this period, the wrangling concerning Liberia's Council of State finally end and that it be installed, that a real cease-fire come into effect, that all forces disengage and that a serious timetable be agreed upon to deal with all other aspects of the Akosombo and Accra agreements, especially as concerns disarmament. The factions are understandably interested in keeping UNOMIL in the country, not only for economic reasons, but also for public relations purposes. But my country, for one — which for several years now has contributed soldiers to UNOMIL — will be hard pressed not to demand its withdrawal if, come September, the conditions outlined in operative paragraph 4 of resolution 1001 (1995) are not met.

Of course, if left alone, factions can fight only up to a point — only until their resources are exhausted. We therefore highlight again the importance of the arms embargo this Council has imposed on Liberia. And we note with distress that external support and what the Secretary-General delicately describes as the "lack of

harmonization" of the policies of Liberia's neighbours (*S/1995/473, para. 11*), contribute to the tearing of that country asunder. To note, as does the preamble of today's resolution, that a

> "concerted and harmonized effort ... would be helpful to advance the peace process" (*resolution 1001 (1995), sixth preambular paragraph*)

is a very self-effacing way of telling Liberia's neighbours: Stop meddling. Stop supplying the factions with arms. Stop pursuing your own objectives at the expense of Liberia's peace.

There is one other troubling aspect of the Liberian situation: the shortcomings in cooperation between UNOMIL and the Monitoring Group (ECOMOG) of the Economic Community of West African States (ECOWAS). The parallel and concerted functioning of the two forces has been viewed as a model for Chapter VIII-style cooperation between a United Nations observer mission and a regional force in other parts of the world as well. It is therefore all the more disturbing that, at the working level, this cooperation "has not always been satisfactory", to quote the Secretary-General (*S/1995/473, para. 20*). We salute the ECOWAS countries that have been shouldering the burden of ECOMOG, but we are particularly concerned that ECOMOG provide the necessary security for UNOMIL personnel, in line with the Cotonou Agreement, as specified in paragraph 12 of the resolution we have just adopted.

**The President:** I thank the representative of the Czech Republic for his kind words addressed to me.

I shall now make a statement in my capacity as the representative of Germany.

My country has voted in favour of extending the mandate of the United Nations Observer Mission in Liberia (UNOMIL). I should, however, like to state the following:

We are very much concerned that concrete progress in the implementation of the peace accords is still lacking. This concerns especially the establishment of the cease-fire and the installation of the Council of State. We regret that UNOMIL is subject to numerous restrictions in the field and is therefore not able to fulfil its mandate in a satisfactory manner.

We hope that the ongoing negotiations among the member States of the Economic Community of West African States (ECOWAS) and the parties to the conflict will, in the end, yield a peaceful solution to the conflict. In this context, the forthcoming meetings in Abuja are an opportunity not to be missed.

Although the people of Liberia bear the ultimate responsibility for achieving peace and national reconciliation, the continued efforts of ECOWAS States to harmonize their policies on Liberia and to promote the implementation of the Accra agreement, including tightening the application of the arms embargo, will play a decisive role. We recognize the important role which the cease-fire Monitoring Group of the ECOWAS States (ECOMOG), together with UNOMIL, is playing in the efforts to contribute to the peace process in Liberia.

It should, however, be clear that the mission of UNOMIL with its present tasks and force strength can be continued in a meaningful way only if conditions in Liberia allow it to fulfil its mandate. The mission will, therefore, have to be converted into a good offices mission if substantial progress in the peace process cannot be demonstrated by the end of its present mandate. In this context, the parties to the conflict will be held to the letter of the resolution which the Security Council has just adopted.

They should install the Council of State, re-establish a comprehensive and effective cease-fire, disengage all forces and agree on a timetable for the implementation of all other aspects of the peace agreements, in particular the disarmament process. We strongly urge the parties to the conflict to seize this opportunity, which may be the last.

I now resume my functions as President of the Security Council.

There are no further speakers. The Security Council has thus concluded the present stage of its consideration of the item on the agenda. The Security Council will remain seized of the matter.

*The meeting rose at 1.40 p.m.*

United Nations S/PV.3550

# Security Council

Fifteth Year

*Provisional*

**3550**th Meeting

Friday, 30 June 1995, 1.40 p.m.

New York

| | | |
|---|---|---|
| *President:* | Mr. Graf zu Rantzau | (Germany) |
| *Members:* | Argentina | Mr. Cárdenas |
| | Botswana | Mr. Legwaila |
| | China | Mr. Qin Huasun |
| | Czech Republic | Mr. Kovanda |
| | France | Mr. Mérimée |
| | Honduras | Mr. Martínez Blanco |
| | Indonesia | Mr. Wibisono |
| | Italy | Mr. Ferrarin |
| | Nigeria | Mr. Ayewah |
| | Oman | Mr. Al-Khussaiby |
| | Russian Federation | Mr. Sidorov |
| | Rwanda | Mr. Ubalijoro |
| | United Kingdom of Great Britain and Northern Ireland | Sir David Hannay |
| | United States of America | Mrs. Albright |

## Agenda

The situation concerning Western Sahara

Report of the Security Council mission to Western Sahara from 3 to 9 June 1995 (S/1995/498)

95-85585 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned *within one week of the date of publication*, to the Chief of the Verbatim Reporting Section, room C-178.

*The meeting was called to order at 1.40 p.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**The situation concerning Western Sahara**

**Report of the Security Council mission to Western Sahara from 3 to 9 June 1995 (S/1995/498)**

**The President:** The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Security Council mission to Western Sahara from 3 to 9 June 1995, document S/1995/498. Members of the Council also have before them document S/1995/523, which contains the text of a draft resolution submitted by Argentina, Botswana, the Czech Republic, France, Germany, Honduras, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I should like to draw the attention of the members of the Council to the following documents: S/1995/514, letter dated 27 June 1995 from the Permanent Representative of Morocco to the United Nations addressed to the President of the Security Council, transmitting a letter dated 26 June 1995 from the Prime Minister and Minister for Foreign Affairs and Cooperation of Morocco addressed to the President of the Security Council and S/1995/524, letter dated 29 June 1995 from the Permanent Representative of Honduras to the United Nations addressed to the President of the Security Council which contains in its annex a letter dated 23 June 1995 from the Secretary-General of the Polisario Front addressed to the President of the Security Council.

It is my understanding that the Council is ready to proceed to vote on the draft resolution (S/1995/523) before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

*A vote was taken by show of hands.*

*In favour:*

Argentina, Botswana, China, Czech Republic, France, Germany, Honduras, Indonesia, Italy, Nigeria, Oman, Russian Federation, Rwanda, United Kingdom of Great Britain and Northern Ireland, United States of America

**The President:** There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1002 (1995).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 1.45 p.m.*

United Nations S/PV.3551

# Security Council

Fiftieth Year

*Provisional*

**3551**st Meeting

Wednesday, 5 July 1995, 4 p.m.

New York

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| *President*: | Mr. Martínez Blanco | (Honduras) |
| *Members*: | Argentina | Mr. Sersale di Cerisano |
| | Botswana | Mr. Motswagae |
| | China | Mr. Qin Huasun |
| | Czech Republic | Mr. Rovensky |
| | France | Mr. Merimée |
| | Germany | Mr. Henze |
| | Indonesia | Mr. Wibisono |
| | Italy | Mr. Ferrarin |
| | Nigeria | Mr. Ayewah |
| | Oman | Mr. Al-Khussaiby |
| | Russian Federation | Mr. Sidorov |
| | Rwanda | Mr. Ubalijoro |
| | United Kingdom of Great Britain and Northern Ireland | Sir David Hannay |
| | United States of America | Mrs. Albright |

## Agenda

The situation in the Republic of Bosnia and Herzegovina

Letter dated 25 June 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/510)

95-85591 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Section, room C-178

*The meeting was called to order at 4.25 p.m.*

**Expression of thanks to the retiring President**

**The President** *(interpretation from Spanish)*: As this is the first meeting of the Security Council for the month of July, I should like to take this opportunity to pay tribute on behalf of the Council to His Excellency Mr. Detlev Graf Zu Rantzau, Permanent Representative of Germany to the United Nations, for his service as President of the Security Council for the month of June 1995. I am sure that I speak for all members of the Security Council in expressing deep appreciation to Ambassador Graf Zu Rantzau for the great diplomatic skill and unfailing courtesy with which he conducted the Council's business last month.

**Adoption of the agenda**

*The agenda was adopted.*

**The situation in the Republic of Bosnia and Herzegovina**

**Letter dated 25 June 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/510)**

**The President** *(interpretation from Spanish)*: I should like to inform the Council that I have received letters from the representatives of Bosnia and Herzegovina and Croatia, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Sacirbey (Bosnia and Herzegovina) took a place at the Council table; Mr. Nobilo (Croatia) took the place reserved for him at the side of the Council Chamber.*

**The President** *(interpretation from Spanish)*: I have also received a request dated 5 July 1995 from Ambassador Dragomir Djokic to address the Council. With the consent of the Council, I propose to invite him to address the Council in the course of the discussion of the item before it.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the letter dated 25 June 1995 from the Secretary-General addressed to the President of the Security Council, transmitting the report by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, concerning the operations of the International Conference's Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro) (S/1995/510).

Members of the Council also have before them document S/1995/537, which contains the text of a draft resolution submitted by the Czech Republic, France, Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Members of the Council have also received photocopies of a letter dated 5 July 1995 from the Chargé d'affaires *ad interim* of the Permanent Mission of Bosnia and Herzegovina to the United Nations and the Permanent Representative of Croatia to the United Nations addressed to the President of the Security Council, which will be issued as document S/1995/538.

The first speaker on my list is the Minister for Foreign Affairs of Bosnia and Herzegovina, His Excellency Mr. Muhamed Sacirbey, whom I welcome and whom I invite to make his statement.

**Mr. Sacirbey** (Bosnia and Herzegovina): It is with pleasure and confidence that we see you, Sir, taking over the job of President of the Security Council. At the same time, let me not forget the contributions of your predecessor, the Permanent Representative of Germany, especially in the very able manner in which he handled the responsibilities of the presidency of the Council during the month of June.

Before I continue with my presentation, I should like to alert the Council to the following information, which has just come to our attention. A few hours ago, one jet of the Serbian forces besieging the Bihac area engaged in an air-to-ground assault upon the Bihac "safe area". We note this one incident among several that have occurred over the past few days, for it seems to represent a growing tendency to test the Security Council's will to see the "no-fly zone" over the Republic of Bosnia and

Herzegovina implemented and, to our dismay, has in fact failed to elicit an adequate response.

We particularly note the plight of the civilian population of the Bihac region because, over the past several days, several unfortunate civilians have lost their lives as a consequence of malnutrition and a lack of essentials. This includes a three-year old boy who, at the time of his death, weighed no more than 15 pounds.

In view of the current, as well as the potential additional rewards offered to it, we should expect the Belgrade regime to enter into mutual recognition with its neighbours, to shut off support and supplies for the Karadzic Serbs and thereby to promote the peace process. Unfortunately, exactly the opposite seems to be occurring. Instead, the Belgrade regime is rounding up draft-age men and sending them back to serve in the so-called Krajina and Bosnian Serb armies. Belgrade continues to pay the salaries of the troops, and especially the officers, of the so-called Krajina and Bosnian Serb armies. Belgrade continues to provide further strategic support — including weapons, fuel and coordination — for the so-called Krajina and Bosnian Serb armies. As an example, the United States F-16 and its American pilot, Scott O'Grady, may have been shot down by anti-aircraft systems of the so-called Bosnian Serb army, but this anti-aircraft system was controlled by an air-defence system linked directly through Belgrade. And the list of inconsistencies is continually growing.

So, one might ask why the Security Council should continue to support for an additional 75 days the process of sanctions relief for what appears to be a double game on the part of the Belgrade regime and in particular the porous border-sealing with respect to the Republic of Bosnia and Herzegovina. Maybe the most honest answer is that this is the least worst of a set of bad options available in support of a negotiated settlement.

No matter how accurate this answer is now, it cannot be the basis ultimately for a successful political process to find peace. Belgrade cannot be allowed effectively to dictate the peace process because no attractive alternatives are perceived. Otherwise, this entire current approach is not only likely to fail, but could in fact become counter-productive.

If Belgrade wishes to secure further sanctions relief or even to maintain the current easing of sanctions, it must be made to understand that the border closure must be real, that the recognition of its neighbours — including the Republic of Bosnia and Herzegovina and the Republic of Croatia — must be unambiguous, and that its support for the peace process must be sincere and not just a tactical step.

The fence-sitting attitude of some in trying to secure Belgrade's cooperation has not only served to encourage Mr. Milosevic and his cohorts to be even more obstinate and ambiguous, but has in fact encouraged Mr. Milosevic and others to try to dictate the terms of peace. In particular, Mr. Milosevic believes now that he can define the international legal nature of the Bosnia and Herzegovina that he is to recognize and in such a fashion make his recognition not only ambiguous but in fact counter-productive. Mr. Milosevic is positioning himself to recognize a Bosnia and Herzegovina devoid of sovereignty and only contained in temporary international borders that would be subject to change at will by Belgrade. Effectively, his strategy is to declare a recognition that promotes the advancement of an ethnically pure Greater Serbia, rather than one that confirms the most basic elements of sovereignty and territorial integrity.

In the meantime, let us take inventory of what the Security Council's actions in easing sanctions with respect to Serbia have achieved so far. Terrorist actions and the strangulation of the people of Sarajevo and other Bosnian towns and cities continue. More than ever before, the Belgrade regime and the Bosnian Serbs have been obstinate with respect to peace movements. The targeting of United Nations officials, troops and other workers has increased. Finally and most recently, while the basketball team of the Federal Republic of Yugoslavia enjoyed the opportunity to participate in the recent European championship, it ended its participation by signalling to the crowd the sign of the Chetnik Serbs — those that in fact conduct aggression and "ethnic cleansing" against the Republic of Bosnia and Herzegovina. This same basketball team has also promised to give some of its medals to the leadership of the so-called Krajina and the so-called Karadzic Serbs.

Obviously, when taking inventory of the consequences, the result is less than clear. But let us be clear on this point: we do not ask for anything more than the legal recognition by the Belgrade regime of our sovereignty and territorial integrity and what the United Nations has already recognized in the context of our membership in this Organization.

On the other hand, we will not accept anything less and others cannot degrade our legal status by self-serving

and dangerous definitions of our sovereignty and territorial integrity.

The Belgrade regime can choose to recognize the Republic of Bosnia and Herzegovina within its internationally-recognized borders without condition, or it can choose to do nothing. Similarly, if it is sincere in supporting the peace process in the region, then the border sealing must also be sincere. We can all benefit from this sincerity. But Belgrade will in fact reap the greatest rewards. On the other hand, if Belgrade is not sincere, we will all lose, but Belgrade will in fact lose the most.

For this reason, we emphasize that the Republic of Bosnia and Herzegovina must and will wait for a sincere partner in Belgrade in the process of mutual recognition and peace.

Consequently, we believe the Security Council must, and should, also wait for a sincere Belgrade.

**The President** *(interpretation from Spanish)*: I thank the Minister of Foreign Affairs of Bosnia and Herzegovina for the kind words he addressed to me.

The next speaker is the representative of Croatia. I invite him to take a place at the Council table and to make his statement.

**Mr. Nobilo** (Croatia): At the outset, Mr. President, I should like to congratulate you on your assumption of the presidency of the Security Council for the month of July and to assure you of my delegation's full support and cooperation on the many important issues involving our region and other matters now before the Security Council.

Allow me also to express my delegation's sincere congratulations to the delegation of the Federal Republic of Germany for the exemplary way in which they led the work of the Council last month.

I should like first of all to reiterate the words of my Foreign Minister and the Minister for Foreign Affairs of the Republic of Bosnia and Herzegovina, who joins us today, as expressed in their letter to you this morning, that the peace process in the region has become deadlocked by, first, the refusal of the Serbs in Pale to accept the Contact Group plan for Bosnia and Herzegovina; secondly, the refusal of the Serbs in Knin to accept the mandate of the United Nations Confidence Restoration Operation in Croatia (UNCRO) and, thirdly, the intensified interference by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the affairs of Bosnia and Herzegovina and Croatia.

It is the strong position of our two Governments that the only way out of this impasse is for the Federal Republic of Yugoslavia (Serbia and Montenegro) to recognize not only the Republic of Bosnia and Herzegovina, but also the Republic of Croatia, and for the international community to establish the Security Council-mandated effective border closure of the relevant borders of Serbia and Montenegro with Bosnia and Herzegovina and Croatia, and the relevant borders between Bosnia and Herzegovina and Croatia. The present situation in the region does not bode well for the peace process in general, for the continued presence of the United Nations peace-keepers in the region, and for the necessary end to renewed hostilities in some parts of Bosnia and Herzegovina.

The peace process has also been derailed by the unfortunate devaluation of the Security Council mandate for the International Conference on the Former Yugoslavia (ICFY) border mission on the Serbia and Montenegro/Bosnia and Herzegovina border. The ICFY has clearly reinterpreted its mandate to mean partial closing of the border, and not effective closing, as was originally envisaged by the Security Council. The ICFY report concerning 688 incidents of border crossings by military personnel for the period, which do not indicate whether these involve one soldier per incident or an entire bus-load, best illustrates the depreciation of the mission's mandate and effectiveness.

My Government has given ample evidence that the relevant border is not effectively closed. My Foreign Minister wrote to the Security Council on 28 June, giving concrete and detailed evidence on how and where the border had been violated. The Minister's letter was followed by numerous independent reports, even including reports from the independent media from Serbia and Montenegro, effectively confirming the evidence presented by my Government.

The Croatian Government therefore considers the present ICFY border mission report and certification erroneous and factually wrong, and therefore null and void. We call on the Security Council thoroughly to review the work of the ICFY mission and to clarify whether its mandate means partial or effective closure of the border. If the Security Council decides that its mandate is indeed for a partial closure of the border, my Government will have to re-evaluate its position in the

peace process and its position on the likelihood of the successful implementation of the UNCRO mandate that also calls for border control — in this case, between Croatia and Serbia, and the relevant borders between Croatia and Bosnia.

**The President** *(interpretation from Spanish)*: I thank the representative of Croatia for the kind words he addressed to me.

In accordance with the decision taken earlier in the meeting, I now invite Ambassador Dragomir Djokic to take a place at the Council table and to make his statement.

**Mr. Djokic**: Let me begin by expressing regret that previous speakers have once again used a meeting of the Security Council to advance untrue and malicious allegations against my country, which we categorically reject.

The situation in the former Yugoslavia is far too serious for the Council to be manipulated in order to satisfy the domestic and political propaganda needs of certain countries. The delegations that have again chosen to voice such allegations have thus shown that they are not striving for the attainment of a just and lasting peaceful solution.

Two hundred and seventy-five days have passed since the Security Council first decided to suspend a very limited and virtually symbolic number of sanctions against the Federal Republic of Yugoslavia. In these nine months the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia have regularly submitted reports to the Council in which they stated that the Federal Republic of Yugoslavia was fully living up to its commitment to close its border with the Bosnian Serbs and that its decision to break off political and economic links with the Bosnian Serb leadership was being continually respected.

This was, of course, a unilateral decision by my Government, which was adopted with the aim of influencing the Bosnian Serb leadership to accept the Contact Group peace plan as a starting point for further negotiations in the search for a political solution to the Bosnian crisis.

Despite the evident constructive and peace-oriented policy of the Federal Republic of Yugoslavia — which has been increasingly acknowledged and appreciated — and the fact that it has fulfilled absolutely all the conditions set forth by the resolutions by which the sanctions were introduced, the Security Council has not been able to muster the political will to lift the sanctions unconditionally and, in so doing, to achieve a significant breakthrough in the status quo and a substantial step towards peace.

Instead, the Council is continuing to pursue a stubborn and myopic policy by collectively punishing the peoples of the Federal Republic of Yugoslavia and causing enormous damage to overall economic and social development in Yugoslavia, as well as in neighbouring countries. The policy of sanctions is having a very serious detrimental and destabilizing effect on the whole of south-east Europe. Traditional trading patterns have been severed, regular transit routes disrupted and the inclusion of this region within European integration processes postponed.

Even the very limited suspension of sanctions has been fraught with many problems, due primarily to the unwillingness of some States to implement relevant resolutions of the Security Council. For instance, it is still impossible to buy or reserve an aeroplane ticket from the territory of the United States to Belgrade. Because of the short time-frame of the sanctions relief, it has also been very difficult for Yugoslav sportsmen and teams to take part in many international competitions which are scheduled for periods longer than 75 days. Cultural cooperation has also been hampered for the same reasons.

As a policy instrument, the sanctions have been an outright failure. They have not stopped the bloodshed in Bosnia and Herzegovina, nor it can be hoped that they will ever do so. They have served only to conceal, like a fig leaf, the failure of the policies of the international community in its attempt to resolve the crisis in the former Yugoslavia.

Historically, sanctions have proved to be a blunt and ineffective instrument. They cause tremendous humanitarian suffering among the civilian population, where children, the weak and the elderly are as a rule the hardest hit, and they very seldom fundamentally influence the policy of target countries. On the contrary: they tend to stiffen resolve and promote a general feeling of conspiracy among the people against which they are implemented.

What is taking place in Bosnia is a civil war based on century-old animosities. The Federal Republic of

Yugoslavia, as has been repeatedly stated in the reports of the Secretary-General, is not a party to this war and is, on the contrary, investing great efforts to facilitate a negotiated settlement. Recently, for example, the authorities of the Federal Republic of Yugoslavia helped in resolving the hostage crisis. Criticism has now arisen that since the Federal Republic of Yugoslavia managed to broker the release of the hostages, it is evident that its influence over the Bosnian Serbs is still overwhelming. On the other hand, had the Federal Republic of Yugoslavia not acted in such a way and if the hostages were still being held, it would have been condemned for not having done enough to ensure their release. Whatever the outcome, it seems that the Federal Republic of Yugoslavia does not get the benefit of the doubt or the credit that it is due.

Reports of alleged cooperation of the Yugoslav army with the Bosnian Serbs are absolutely not true and are regularly portrayed as false by the reports of the Co-Chairmen. It is indeed indicative that no Government has submitted official information on such violations to the Co-Chairmen, yet these concerns are raised within the Security Council. We can only interpret such blatant fabrications as a form of extracting even more concessions from the Federal Republic of Yugoslavia, and particularly its early recognition of Bosnia and Herzegovina. On the other hand, the Security Council turns a blind eye to the flagrant breaches of the arms embargo by the Bosnian Muslim and Croatian Governments, as well as to the presence of the regular army of Croatia in Bosnia and Herzegovina.

The Federal Republic of Yugoslavia is prepared to recognize the borders of Bosnia and Herzegovina once the political problems affecting its nations are on the way to being resolved. Also, the Federal Republic of Yugoslavia insists that the sanctions first be lifted before any recognition moves are made.

The perpetuation of the sanctions, and the setting of more unjustified conditions for their lifting, is absolutely absurd. There were never any justified reasons for introducing the sanctions in the first place. Their maintenance is all the more untenable now, when the Federal Republic of Yugoslavia is investing major efforts to contribute to the search for a just and peaceful settlement of the crisis. Those who continue to insist that they remain in place obviously have other goals in mind and are not motivated by a sincere wish to find a political solution to the crisis.

Only negotiations, and not the use of force, the lifting of the arms embargo or the deployment of new troops, can be conducive to such an outcome.

If the Security Council wishes truly to open the road towards peace in the former Yugoslavia, it must have the courage to make a resolute move and lift the sanctions against the Federal Republic of Yugoslavia altogether. That would undermine the position of extremists in all camps who see the sanctions as a pretext for pursuing the war option. The view that by lifting the sanctions against the Federal Republic of Yugoslavia the international community would lose its leverage and influence on the policies of Belgrade is absolutely false. The sanctions only foster resistance and set limits within the Federal Republic of Yugoslavia on greater cooperation with the international community. If they were lifted, the Federal Republic of Yugoslavia would become a full and equal partner in the peace process and could even more effectively contribute to the attainment of a just and lasting settlement in Bosnia and Herzegovina.

We would like to believe that the Security Council will soon summon the strength — and the wisdom, in particular — to take this step.

**The President** *(interpretation from Spanish)*: It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. If I hear no objection I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

**Mr. Sidorov** (Russian Federation) *(interpretation from Russian)*: First of all, allow me to congratulate you, Mr. President, on your assumption of this post of great responsibility and to assure you of the Russian delegation's readiness to cooperate fully with you. I should also like to request the German delegation to convey our gratitude to Ambassador Graf zu Rantzau for his skilful leadership of the work of the Security Council during the month of June.

Russia will abstain in the vote on the draft resolution on extending the partial suspension of sanctions against the Federal Republic of Yugoslavia because it believes that the draft resolution's contents can hardly be considered an appropriate way of encouraging a

constructive policy on the part of the Federal Republic of Yugoslavia in the matter of a peaceful settlement.

Suffice it to recall the past history of this question. In August 1994, the Government of the Federal Republic of Yugoslavia decided voluntarily — I repeat, voluntarily — to close its border with Bosnia and Herzegovina to all goods except humanitarian supplies and requested the International Conference on the Former Yugoslavia to deploy on the border an international Mission to assist in the implementation of this decision. In response to this courageous and difficult step, the Security Council adopted resolution 943 (1994) which, as an act of political encouragement to Belgrade, provided for the lifting of certain measures of — let us be frank — symbolic rather than real economic significance.

The time that has elapsed since the adoption of that resolution has fully and totally confirmed that the Federal Republic of Yugoslavia is playing a positive role in connection with the situation in the former Yugoslavia. This, incidentally, was recently demonstrated in the dramatic situation involving the United Nations Protection Force (UNPROFOR) hostages.

As is clear from the most recent report of the Co-Chairmen of the ICFY (S/1995/510), the Government of the Federal Republic of Yugoslavia is continuing to meet its commitment to close the border with the Republic of Bosnia and Herzegovina. The cooperation of the authorities of the Federal Republic of Yugoslavia continues to be good, and the problems that arise are being resolved effectively.

Under these circumstances, in our view, the constructive policy of the Federal Republic of Yugoslavia merits appropriate encouragement in the form of a further easing of the burden of sanctions. The Security Council should have at the very least made the partial suspension of sanctions indefinite in extent, as was proposed by the Russian Federation.

Unfortunately, this proposal, once again, was not adopted. As was the case in resolution 988 (1995), the draft resolution is extending the suspension of the sanctions for a reduced period of only 75 days. This is all the more incomprehensible since the draft provides for the immediate imposition of sanctions if Belgrade violates its commitments.

We cannot agree with the continually repeated tactic of arbitrarily tacking on far-fetched and irrelevant elements to the decision on the question of suspending sanctions. Thus, a new preambular paragraph has appeared that speaks to the importance of the cessation of military assistance to the Bosnian Serbs. In addition to the fact that this provision goes beyond the bounds of resolution 713 (1991), which establishes a general and complete embargo on all deliveries of weapons and military equipment to the region of the former Yugoslavia, it is also particularly untenable with respect to assertions concerning financing and coordination of air defence, and is in no way confirmed by ICFY reports. Most important, this provision is directed at one of the parties to the conflict in Bosnia and Herzegovina, while the responsibility for the recent drastic deterioration of the situation there is borne not only and not so much by the Bosnian Serbs. As a matter of principle, if this ban is to be extended to all forms of military assistance, then it should apply to all parties to the conflict in Bosnia and Herzegovina. A unilateral application of such an approach will inevitably be interpreted by the parties as the manifestation of a double standard, with all of the ensuing negative consequences.

We cannot agree either with the inclusion in the operative part of the draft of paragraph 3, with its call for mutual recognition between the States on the territory of the former Yugoslavia, with as a first step recognition between the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro). This provision clearly does not fit within the context of a generally technical and limited extension of the suspension of a minimal set of sanctions for a short period of time, and it is still not clear as to how it might affect the diplomatic contacts being undertaken at the present time.

Our delegation cannot fail to express its regret regarding the fact that during work on the draft, its co-sponsors were not able adequately to take into account the views of a number of delegations, including that of the Russian Federation. This represents a departure from the recent and positive trend in the Security Council to reach consensus decisions which reflect the positions of all its members and thus acquire greater authority and effectiveness.

Under these circumstances, Russia cannot support such a draft resolution, although it fully backs not only an easing but also a lifting of sanctions against the Federal Republic of Yugoslavia. We hope that the next time this question is considered, the Security Council will be able to take a decision that will truly and fully

promote the interests of achieving a comprehensive political settlement.

**The President** *(interpretation from Spanish)*: I thank the representative of the Russian Federation for the kind words he addressed to me.

**Mr. Henze** (Germany): First of all, I want to congratulate you, Sir, on your assumption of the presidency of the Security Council. My delegation is fully confident that your wise counsel and long political experience will guide us through the work of the Security Council during the month of July, and I wish to assure you of our cooperation. I should like also to thank the preceding speakers for their words of appreciation for the work of Ambassador Graf Rantzau as President of the Council during the month of June. We will not fail to transmit them to him.

The draft resolution that we will adopt today is a follow-up to Security Council resolutions 943 (1994), 970 (1995) and, lastly, 988 (1995) of 21 April 1995. These resolutions have suspended certain sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) at more or less regular intervals. Therefore, some may believe that the draft resolution before the Council today is a matter of routine.

For obvious reasons, it is not. We all continue to be well aware of the painful events that led to the imposition of sanctions on the Federal Republic of Yugoslavia in 1992. We are also well aware of the continued human suffering in Bosnia, in particular in Sarajevo and Bihac and in the eastern enclaves, on which we have just received additional information. It is against this background that the Council will be taking its decision.

The issue we are discussing today continues to be a crucial element in the ongoing international efforts to de-escalate the crisis in the Republic of Bosnia and Herzegovina, as well as in the other States in the former Yugoslavia. We believe that without an effective border closure by the authorities of the Federal Republic of Yugoslavia, there will be no de-escalation in Bosnia.

Keeping these facts in mind, we have analysed carefully the situation on the ground and the draft resolution before the Council. According to the report of the Secretary-General before us, the Federal Republic of Yugoslavia continues to maintain the border closure between the Federal Republic of Yugoslavia and the areas of the Republic of Bosnia and Herzegovina now under the control of Bosnian Serb forces. The report of the Secretary-General also states that the cooperation of the Mission of the International Conference on the Former Yugoslavia (ICFY) with Yugoslav authorities continues to be good. We pay tribute to the dedicated efforts of the members of the ICFY Mission.

However, having studied the report carefully, we could not ignore the clear indications of serious shortcomings in the border closure. In particular, the report refers to 688 incidents of border crossings by military personnel. It is disturbing that we do not know how many persons were involved in these incidents, where they went, and how they were armed and equipped.

Even more serious are recently incoming reports on the increasing number of draft-age young men forcibly transferred by Federal Republic of Yugoslavia authorities into the Serb-held territories of the Republic of Croatia and into the territories under the control of the Bosnian Serbs.

My delegation therefore finds it appropriate and fully justified that the draft resolution before us should send a clear signal to the authorities in Belgrade not to engage in military assistance. There must be no transport of military personnel across the border, no support with military equipment, no financial assistance, no coordination of air defences. To do otherwise would not only jeopardize the international peace effort, but would also undermine the credibility of the Federal Republic of Yugoslavia authorities in the ongoing negotiations.

A key to the future stability of the region and to a peaceful settlement of the continuing crisis remains the mutual recognition of all States of the former Yugoslavia. The international community and the Security Council should, accordingly, be ready to consider further substantial sanctions-relief measures if and when the Federal Republic of Yugoslavia has agreed to and implemented the necessary steps for the mutual recognition of the States of the former Yugoslavia within their internationally recognized borders and has agreed to and implemented the strengthening of the border closure régime and its international monitoring. This is the clear and positive message that the Security Council wants to send to the leadership and to the people of the Federal Republic of Yugoslavia.

Like ordinary Bosnian citizens in Sarajevo or ordinary Croat citizens in Zagreb, the overwhelming

majority of the people in Belgrade and in the Federal Republic of Yugoslavia (Serbia and Montenegro) are yearning for an end to war and conflict. Germany is very much looking forward to a time when a responsible policy striving in words and deeds for peace in the Balkans is pursued and implemented by the Belgrade authorities. We look forward to a time when the Federal Republic of Yugoslavia (Serbia and Montenegro) can again find a respected place in the international community. Germany would be the first to welcome and support such a development.

It is in this spirit that the German delegation will vote for the draft resolution before us.

**The President** *(interpretation from Spanish)*: I thank the representative of Germany for his kind words addressed to me.

**Mr. Wibisono** (Indonesia): As this is the first time my delegation has had the opportunity to speak this month, I should like to extend to you, Sir, my delegation's sincere congratulations on your assumption of the presidency of the Security Council for the month of July and to assure you of our continuing support.

I should also like to thank your predecessor, Ambassador Detlev Graf Zu Rantzau of Germany, for the exemplary manner in which he conducted the work of the Council last month, and to wish him all the best for the future.

The Indonesian delegation would further like to express its appreciation to the joint sponsors of the draft resolution that is before us today, which provides for the extension, for a period of 75 days, of the partial easing of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro), as originally adopted under Security Council resolutions 943 (1994), 970 (1995) and 988 (1995). My delegation would also like to thank the Secretary-General and the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (ICFY) for the invaluable periodic reports detailing the closure of the border between the Federal Republic of Yugoslavia and the Republic of Bosnia and Herzegovina.

We note that the reports issued since the adoption of Security Council resolution 988 (1995) contain the assessment by the Mission Coordinator that the Government of the Federal Republic of Yugoslavia has continued to meet its commitment to close its border with the Republic of Bosnia and Herzegovina. We further note that the period was relatively free of controversy about alleged air violations of the border. The latest report by the ICFY Co-Chairmen indicates that no unexplained radar contacts have been reported by the airfield monitors of the United Nations Protection Force (UNPROFOR). The Indonesian delegation is encouraged by the recent substantial increases in confiscations in most categories of goods along the border, which is indicative of the Mission's increased effectiveness. Above all, the Indonesian delegation is heartened by the improved financial situation facing the Mission, which has enabled the Co-Chairmen to authorize an increase in Mission personnel to 200. It is indeed our hope that henceforth the Mission will be provided with means commensurate with its important responsibilities.

Yet my delegation cannot fail to note the continuing shortcomings in the border closure. The substantial increases in confiscations, to which I alluded earlier, may also be indicative of an increasing trend in the illegal transport of materials. We are concerned that interceptions of smuggling attempts, confiscations, fines and penalties are perhaps increasingly becoming acceptable "costs" as far as the smugglers are concerned. The Indonesian delegation would like to reaffirm the importance of efforts by the authorities of the Federal Republic of Yugoslavia to enhance even further the effectiveness of the border closure.

Other concerns of our delegation are the well-documented repeated incidents involving threats to Mission personnel and attempts at border violations, both of which we believe require urgent attention. Threats to Mission personnel aimed at hindering their freedom of movement cannot be tolerated. We also believe that the violations of the border closure detailed in Section VII of the latest report by the ICFY Co-Chairmen should not be dismissed too readily. The Indonesian delegation is particularly concerned to learn that uniformed personnel continue to cross the border between the Federal Republic of Yugoslavia and the Republic of Bosnia and Herzegovina — a clear violation of the border closure. We should like to see this issue addressed as a matter of priority, since complacency regarding such incidents can only lead to an increase in their frequency.

On balance, my delegation does not currently see the need for any major revision in the existing arrangements relating to the partial easing of sanctions against the Federal Republic of Yugoslavia. Therefore, we welcome the draft resolution, since it basically

reaffirms the elements contained in resolution 988 (1995). We would like to underline three elements contained in the draft resolution which we believe to be of particular importance to its success.

First — and this is a matter that we have addressed previously — our delegation has found the reports of border crossings of uniformed personnel to be unsettling. We would therefore like to underline the draft resolution's emphasis on there being no provision of military assistance of any kind to the Bosnian Serb forces in terms of finance, equipment, coordination of air defences or recruitment of troops. Secondly, my delegation would like to echo the necessity of the appropriate resources being made available to the Mission so that it is able to carry out its tasks effectively. Thirdly, the Indonesian delegation underscores the call for early mutual recognition between the States of the former Yugoslavia of their internationally recognized borders. Such an action would constitute an important step towards furthering an atmosphere of trust and cooperation. By taking this most basic step, the Federal Republic of Yugoslavia would send a clear and unequivocal message of its peaceful intent to the international community.

Clearly, the long-recognized shortcomings of the border closure have not been completely overcome in the past 75 days. Moreover, during those 75 days we have witnessed ever-increasing acts of defiance by the Bosnian Serb party, as reflected in the seizure of UNPROFOR personnel as hostages and the shelling of Bosnian cities and towns. In the face of such defiance, the mission must continue vigorously to enforce the border closures in an effort to persuade the Bosnian Serbs to end their intransigence. The Bosnian Serb party should have no doubt that the international community expects it to end its aggression and accept the Contact Group peace plan.

In view of these considerations, my delegation will support the adoption of the draft resolution.

**The President** *(interpretation from Spanish)*: I thank the representative of Indonesia for his kind words addressed to me.

**Mr. Al-Khussaiby** (Oman): On behalf of my delegation, allow me to convey to you, Sir, and to your friendly country, Honduras, our congratulations on your assumption of the presidency of the Security Council for the month of July. I should also like to reassure you of my delegation's full support and cooperation in trying to facilitate your work in a manner that will further the noble causes for which this Organization was established.

At the same time, allow me to take this opportunity to extend our gratitude to the former Ambassador of Germany and to the members of his delegation for the skilful manner in which they steered the work of the Security Council during his presidency last month.

Nearly a year ago, the Security Council adopted resolution 943 (1994) regarding sanctions relief for the Federal Republic of Yugoslavia (Serbia and Montenegro). Oman, which was among those that supported those measures and voted in favour of the resolution, continues to support the further extension of sanctions relief. The main reason for our decision relates to the assurances and indications given to us and to the international community at large that such a suspension would contribute positively to isolating the Bosnian Serbs, who still reject the territorial peace plan of the Contact Group, and would help create a positive political environment among all States in the region based on respect for sovereignty, territorial integrity, international borders and mutual recognition.

The relevant reports submitted to the Council note with satisfaction that cooperation between the Mission of the International Conference on the Former Yugoslavia (ICFY) and the authorities of the Federal Republic of Yugoslavia continues to be good and satisfactory. On the other hand, we would reaffirm the importance of further efforts on the part of the authorities of the Federal Republic of Yugoslavia to enhance the effectiveness of the closure of the international border between that country and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs.

We hope that the Federal Republic of Yugoslavia (Serbia and Montenegro) will exert its pressure on the Bosnian Serb party in a manner that will convince them to accept the peace plan. We further believe that one way of doing this is through effective border closure to prevent any military shipment from reaching that party.

With regard to the question of mutual recognition, my delegation is of the view that such a step will enhance the confidence-building measures between the countries of the Balkans. We also renew our call on Belgrade to expedite its recognition of the Republic of Bosnia and Herzegovina, the Republic of Croatia, the Republic of Slovenia and the Former Yugoslav Republic of Macedonia, as referred to in paragraph 3 of the draft resolution before us. We are of the view that this important step will strengthen the ongoing peace efforts

and contribute positively to the consideration of additional sanctions relief by the Security Council in the future.

In support of the efforts of the international community, particularly those of the Contact Group, towards reaching a peaceful settlement of the conflict in Bosnia and Herzegovina — based, as a starting point, on the acceptance of the peace plan, which still awaits the acceptance of the Bosnian Serbs, and based on our conviction that such sanctions relief, whenever it is associated with some concrete steps and commitments on the part of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) will surely enhance the prospects for peace, my delegation will vote in favour of the draft resolution.

**The President** *(interpretation from Spanish)*: I thank the representative of Oman for his kind words addressed to me.

I shall now put draft resolution S/1995/537 to the vote.

*A vote was taken by show of hands.*

*In favour:*

Argentina, Botswana, China, Czech Republic, France, Germany, Honduras, Indonesia, Italy, Nigeria, Oman, Rwanda, United Kingdom of Great Britain and Northern Ireland, United States of America

*Against:*

None

*Abstaining:*

Russian Federation

**The President** *(interpretation from Spanish)*: The result of the voting is as follows: 14 votes in favour, none against and one abstention. The draft resolution has therefore been adopted as resolution 1003 (1995).

I shall now call on those members of the Council who wish to make statements following the voting.

**Mrs. Albright** (United States of America): Let me take this opportunity to congratulate you, Sir, on your assumption of the presidency and to tell you that we are very much looking forward to working with you during this very important month.

I also ask the German delegation to convey our best wishes to Ambassador Graf zu Rantzau for his fine work and to wish him good luck.

It is now 275 days — three-quarters of a year — since we extended limited sanctions relief to the Federal Republic of Yugoslavia (Serbia and Montenegro) for its stated commitment to seal its border with Bosnia and to sever official contacts with Pale. In that time, the Mission of the International Conference on the Former Yugoslavia — whose continued dedication and effectiveness we salute — has reported some improvement in the effectiveness of the border closure and in cooperation by the Federal Republic of Yugoslavia authorities. These reports, however, have also continued to point out a number of shortcomings in Belgrade's willingness fully to implement its decision to isolate the Bosnian Serbs. It is those shortcomings that made my Government unwilling to accept an extension of 100 days and to insist on 75 days.

It should be recalled that the goal of extending limited sanctions relief to Belgrade is to increase the pressure on the Pale Serbs to accept a settlement of their conflict with the Government of Bosnia based on the Contact Group plan. My Government continues to believe that an effectively enforced closure of the border between the Federal Republic of Yugoslavia and the territory now controlled by the Bosnian Serbs would help achieve that goal.

But this Council will have to remain vigilant if the limited suspension of sanctions is to achieve its purpose and thereby remain justified. Therefore, my Government is disturbed by indications of increasing military cooperation between the Belgrade authorities and the Pale Serbs. Specifically, there are indications that the authorities of the Federal Republic of Yugoslavia are rounding up draft-age Bosnian Serb males and returning them to Bosnia, providing financial assistance and equipment to the Bosnian Serb army, and cooperating with Bosnian Serb air defence systems.

If these reports about assistance to the Bosnian Serbs are accurate, they would violate Belgrade's commitment to isolate Pale. Taken together, they raise serious doubts which, if not adequately clarified by Belgrade, would seriously weaken the case for continuing the limited suspension of sanctions. In our view, such violations would undermine the Council's key objective of persuading the Pale Serbs that there is no reasonable alternative to a negotiated solution. They would also

weaken our joint efforts to limit and contain the conflict in advance of a negotiated solution.

I also want to add a note of growing concern over reports of increased military support by Belgrade for the Croatian Serbs.

Between now and 18 September my Government will continue to pay close attention to these and other issues related to Belgrade's commitment to implement the border closure. We hope that the Mission of the International Conference on the Former Yugoslavia (ICFY), within its own resources and employing resources that might be made available, will do the same.

**The President** *(interpretation from Spanish)*: I thank the representative of the United States for the kind words she addressed to me.

**Mr. Ferrarin** (Italy): Allow me at the outset, Sir, to congratulate you on your assumption of the presidency of the Security Council for the month of July. I am convinced that your diplomatic skills will ensure smooth and effective work during this month and I assure you of the full cooperation of my delegation.

I also wish to extend our deep appreciation to the President of the Security Council for the month of June, Ambassador Graf zu Rantzau, and to the German delegation, for the outstanding way in which he guided the work of the Council last month.

The resolution the Security Council has just adopted extends the suspension of certain sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) in the areas of civil aviation and cultural and sport events, for another 75-day period.

Italy would have rather preferred a suspension of the sanctions for a 100-day period. We decided however, to join the majority within the Council and to vote in favour of the resolution, which is a logical consequence of the report by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia of 23 June 1995, with particular reference to the measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to maintain the effective closure of the international border with the Republic of Bosnia and Herzegovina.

We maintain that it is possible to further improve the effectiveness of the closure of the border. We therefore encourage the authorities of the Federal Republic of Yugoslavia to make every effort to this end and to continue the ongoing cooperation with the Mission of the International Conference on the Former Yugoslavia.

Italy is also well aware of the important role that Belgrade plays in the framework of the peace process. We encourage the Belgrade authorities to actively carry out this role, and to exercise every positive influence on the Bosnian Serb side in order that they accept the peace plan of the Contact Group as a starting point.

Finally, we expect that the Yugoslav Government will show the utmost goodwill in its efforts to ensure a positive outcome of the negotiations which Mr. Carl Bildt is currently conducting in Belgrade.

**The President** *(interpretation from Spanish)*: I thank the representative of Italy for the kind words he addressed to me.

**Ms. Wilmshurst** (United Kingdom): May I first extend to you the congratulations of my delegation, Sir, on your assumption of the Presidency of the Security Council for the month of July. We look forward to working with your delegation.

I should also like to express our appreciation for the way in which your predecessor, Ambassador Graf zu Rantzau, presided over the Council's work in the month of June.

Last August, the Belgrade authorities took two important steps towards encouraging the emergence of a peaceful settlement in Bosnia. The first was to support the Contact Group proposals as a starting point for negotiations between the parties. The Bosnian Serb leadership, however, have not yet taken this essential step. We urge them to do so and thus to open the way for their participation in negotiations.

The second important step taken by Belgrade last August was to close their international border with the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs. The Co-Chairmen of the International Conference on the Former Yugoslavia (ICFY) have reported that Belgrade continues to meet its commitment to close that border, and that cooperation between the ICFY Mission and Belgrade remains good. My Government endorses that assessment, and continues to have the fullest confidence in the work of the Co-

Chairmen and of the ICFY mission. The resolution which the Council has just adopted, of which my Government was a sponsor, allows for the limited renewal of the suspension of sanctions on Belgrade. We believe that this step is justified in response to the actions of the authorities of the Federal Republic of Yugoslavia to date.

Closure of the border has already brought very real material pressure to bear on the Bosnian Serb leadership in terms of its economic, political and military impact, and it is important that this pressure be maintained. We therefore expect the authorities in Belgrade to make further efforts to enhance the effectiveness of that closure and, in particular, to ensure that there is no provision of military assistance for the Bosnian Serb forces. We also look to the Governments in the region to play their part in ensuring that Bosnian Serb isolation is intensified, by taking steps to prevent trade diversion to Pale, whether by land or sea. And we look to the international community to join us in providing support, in terms of finance, manpower and equipment, to the ICFY Mission. It is particularly important that Governments bring to the attention of the ICFY Mission any information concerning suspected border violations, so that the Mission can follow up as appropriate.

Belgrade's closure of their border with Bosnia was an important step, but nevertheless it was only a first step. The logic of Belgrade's decision to isolate the Bosnian Serb leadership until they embrace the Contact Group's proposals as a starting point should, we believe, lead them to a further, very significant, step — that is, the recognition of Bosnia. The Council has made clear on numerous occasions the importance it attaches to early mutual recognition between the States of the Former Yugoslavia within their internationally recognized borders. We hope that the Council will in the near future be in a position to consider additional sanctions relief in the context of the Belgrade authorities having decided to take that further step — mutual recognition between the Federal Republic of Yugoslavia and the Republic of Bosnia and Herzegovina. My Government strongly commends the efforts so far of the new European Union Co-Chairman of the ICFY, Mr. Carl Bildt, and of his United Nations counterpart, Mr. Thorvald Stoltenberg, to that end. Time is short: we urge Belgrade to take that further step without delay and to move towards mutual recognition.

**Mr. Qin Huasun** (China) *(interpretation from Chinese)*: Allow me at the outset to congratulate you, Sir, on your assumption of the important post of President of the Security Council. I am convinced that, given your wisdom, experience and outstanding talent, you will guide the Council to complete its work this month in a satisfactory manner. I also wish to thank Ambassador Graf zu Rantzau, President of the Council last month, for his successful guidance of the Council's work.

We have all along stood for a peaceful settlement of the conflict in the former Yugoslavia and opposed resorting to sanctions or mandatory actions in this connection, for facts have proved that sanctions or pressure will not help at all, but will instead further complicate and perpetuate problems.

We are of the view that the Federal Republic of Yugoslavia is an important factor for restoring peace and stability in the region of the former Yugoslavia. The Federal Republic of Yugoslavia has been cooperating with the international community, including on such questions as closing its border with Bosnia and Herzegovina. The international community should constantly encourage and support these efforts by the Federal Republic of Yugoslavia and translate such encouragement, first of all, into the gradual removal of sanctions against the Federal Republic of Yugoslavia.

The report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (ICFY), recently transmitted by the Secretary-General to the Security Council, states that the Government of the Federal Republic of Yugoslavia continues to fulfil its commitment to close its border with Bosnia and Herzegovina, that there have been no commercial transshipments across that border and that the Mission continues to enjoy full freedom of movement and good cooperation from the Government of the Federal Republic of Yugoslavia. This constitutes the basis of the resolution just adopted. Though the report of the Co-Chairmen mentions some violations of the embargo, it also points out,

> "the qualities and characteristics of the problems are not significant". *(S/1995/510, para. 37)*

Given the very long border between the Federal Republic of Yugoslavia and Bosnia and Herzegovina, the Government of the Federal Republic of Yugoslavia has done its utmost.

Here I wish to emphasize that some delegations, including the Chinese delegation, have different opinions regarding the resolution just adopted. Certain delegations even have serious reservations. They made some very

useful and reasonable suggestions during the consultations. Regrettably, however, some sponsors were reluctant to have full coordination and incorporate them. This practice will undermine the democratization of the Council's work and will not help its work proceed smoothly in the future. However, considering that the main purpose of this resolution is to continue the partial suspension of sanctions against the Federal Republic of Yugoslavia, which is the first step towards the complete removal of sanctions, and will help create conditions for the peaceful settlement of the Bosnian question and encourage the Federal Republic of Yugoslavia to make further efforts in that regard, the Chinese delegation voted in favour of the resolution just adopted.

The long absence of a solution to the conflict in the former Yugoslavia has not only brought tremendous sufferings to the people of the region, but has also posed a threat to peace and stability in Europe and the world as a whole. We are deeply concerned over the conflict in the former Yugoslavia and strongly urge the parties concerned to seek a solution acceptable to all through peaceful negotiations by taking into account the fundamental interests of the people there. At present, the priority should be to enter into a cease-fire.

We also maintain that the independence, sovereignty and territorial integrity of the independent States of the former Yugoslavia should be fully respected, their boundaries not be changed — especially not by force — and the countries in the region recognize each other and co-exist in amity and good-neighbourliness so as to bring an early end to the conflict and the war in the region. This will serve the long-term interests of the countries in the region and contribute to the maintenance of peace and stability in Europe and the world as a whole.

**The President** *(interpretation from Spanish)*: I thank the representative of China for the kind words he addressed to me.

I shall now make a statement in my capacity as representative of Honduras.

My delegation was pleased to receive the conclusions of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (ICFY) and the Committee's certification of the closure of the borders between the Federal Republic of Yugoslavia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, as contained in the report submitted by the Secretary-General on the activities of the Mission of the Conference.

We are grateful for that report, which concludes by certifying that the Government of the Federal Republic of Yugoslavia continues to fulfil its commitment to close the border with Bosnia and Herzegovina and that there have been no commercial transshipments across that border. My delegation also notes that the Mission of the Conference, some minor incidents notwithstanding, enjoys full freedom of movement in that country and enjoys the cooperation of the Yugoslav authorities, which are effectively implementing the legislation relating to the closure of the border.

We hope that the adoption of today's resolution, for which my delegation voted in favour, will serve to stimulate the authorities of the Federal Republic of Yugoslavia to step up their efforts to make the closure of the international border more effective.

I now resume my functions as President of the Council.

There are no further speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

*The meeting rose at 5.50 p.m.*

United Nations S/PV.3552

# Security Council

Fiftieth Year

*Provisional*

**3552**nd Meeting

Wednesday, 12 July 1995, 10 a.m.

New York

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|---|---|---|
| *President*: | Mr. Martínez Blanco | (Honduras) |
| *Members*: | Argentina | Mr. Cárdenas |
| | Botswana | Mr. Legwaila |
| | China | Mr. He Yafei |
| | Czech Republic | Mr. Rovensky |
| | France | Mr. Thiebaud |
| | Germany | Mr. Martens |
| | Indonesia | Mr. Wisnumurti |
| | Italy | Mr. Ferrarin |
| | Nigeria | Mr. Gambari |
| | Oman | Mr. Al-Khussaiby |
| | Russian Federation | Mr. Ordzhonikidze |
| | Rwanda | Mr. Ubalijoro |
| | United Kingdom of Great Britain and Northern Ireland | Sir David Hannay |
| | United States of America | Mr. Hume |

## Agenda

Election of a member of the International Court of Justice (S/1995/527, S/1995/528, S/1995/529 and S/1995/556 and Add.1)

95-85657 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Section, room C-178.

*The meeting was called to order at 10.45 a.m.*

**Expression of sympathy to China**

**The President** *(interpretation from Spanish):* I should like at the outset of the meeting to express deepest sympathy to the Government and people of China for the tragic loss of life and extensive material damage which have resulted from the recent floods in that country.

I call on the representative of China.

**Mr. He Yafei** (China) *(interpretation from Chinese):* I should like, on behalf of the Chinese delegation and the Government of China, to thank you, Mr. President, for your expression of sympathy and support on behalf of the members of the Council. I shall convey this message to my Government.

**Adoption of the agenda**

*The agenda was adopted.*

**Election of a member of the International Court of Justice (S/1995/527, S/1995/528, S/1995/529 and S/1995/556 and Add.1)**

**The President** *(interpretation from Spanish):* I should like to recall that at its 3510th meeting, on 22 March 1995, the Security Council adopted resolution 980 (1995), in which it decided that the election to fill the vacancy in the International Court of Justice should take place on 12 July 1995 at a meeting of the Security Council and at a meeting of the General Assembly at its forty-ninth session.

This morning the Security Council and the General Assembly will proceed independently with the election, in accordance with the relevant provisions of the Statute of the Court, for the purpose of filling this vacancy. The list of candidates nominated by national groups and received by the Secretary-General as of 21 June 1995, the deadline for receipt of nominations, is contained in document S/1995/528. Document S/1995/556 and Add.1 contain the nominations by national groups received by the Secretary-General after 21 June 1995. Document S/1995/529 contains the curriculum vitae of the candidate nominated by national groups.

The Security Council also has before it a memorandum by the Secretary-General (S/1995/527) describing the present composition of the Court and setting out the procedure to be followed in the conduct of the election.

I should like to remind the Council that under Article 10, paragraph 1, of the Statute of the International Court of Justice,

> "Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected."

The required majority in the Security Council is eight votes.

Article 15 of the Statute of the Court provides that

"A member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term."

Accordingly, the member elected to fill the remainder of the term left vacant by the resignation of Judge Sir Robert Yewdall Jennings will serve until 5 February 2000.

The voting will be by secret ballot. When we proceed to the vote, members of the Council will receive a ballot paper containing the name of the candidate. No withdrawal will be accepted once the ballot papers have been distributed. However, it would be possible to withdraw between ballots. Members of the Council will be requested to place an "X" next to the name of the candidate for whom they wish to vote. Votes may be cast only for a candidate whose name appears on the ballot paper, and each elector may vote for only one candidate, otherwise the ballot will be considered invalid. When a candidate has obtained the required majority, I shall notify the President of the General Assembly of the name of that candidate, and I shall request the Council to remain in session pending the receipt from the President of the General Assembly of the result of the voting in the Assembly.

I shall now draw lots to select two delegations to serve as tellers.

* * *

**The President** *(interpretation from Spanish):* Rwanda and the United Kingdom of Great Britain and Northern Ireland have been drawn. I therefore request

each of them to appoint one member of their respective delegations to serve as teller.

*At the invitation of the President, Mr. Ubalijoro (Rwanda) and Mr. Cambridge (United Kingdom of Great Britain and Northern Ireland) acted as tellers.*

**The President** *(interpretation from Spanish):* May I take it that the Council is now ready to proceed with the election to fill the vacancy caused by the resignation of Judge Jennings?

It is so decided.

**The President** *(interpretation from Spanish):* I would ask the Conference Officer to distribute the ballot papers.

Members of the Council should place an "X" in the box next to the name of the candidate for whom they wish to vote.

* * *

**The President** *(interpretation from Spanish):* I take it that all members of the Council have now voted and I request the Conference Officer to collect the ballot papers.

All the ballot papers have been collected. I should like to remind the Council that, as we agreed during our consultations, the ballots will not be counted until it has been verified that the ballot papers in the General Assembly have been collected. The Council will remain in session pending the receipt of that information.

* * *

**The President** *(interpretation from Spanish)*: I have now been informed that the ballot papers have been collected in the General Assembly. The counting of the ballots in the Security Council will now begin. The tellers will now count the ballots. As agreed in our consultations, there will be two independent countings of the ballots, one by each teller.

* * *

**The President** *(interpretation from Spanish)*: The result of the voting is as follows:

| | |
|---|---|
| Number of ballot papers: | 15 |
| Number of invalid ballots: | 0 |
| Number of valid ballots: | 15 |
| Required majority: | 8 |
| Number of votes obtained: | |
| Ms. Rosalyn Higgins | 15 |

**The President** *(interpretation from Spanish)*: Ms. Rosalyn Higgins has accordingly received the required majority of votes in the Security Council.

I shall communicate the result of the vote to the President of the General Assembly in writing. I request the Council to remain in session while we wait for the President of the General Assembly to inform the Council of the result of the voting in the Assembly.

* * *

**The President** *(interpretation from Spanish)*: I should like to inform the members of the Security Council that I have just received from the President of the General Assembly the following letter:

> "I have the honour to inform you that at the 105th plenary meeting of the General Assembly, held today for the purpose of electing one member of the International Court of Justice, the following candidate obtained an absoute majority of votes in the General Assembly: Ms. Rosalyn Higgins."

As the Security Council and the General Assembly have agreed on the same candidate, the distinguished jurist Ms. Rosalyn Higgins of the United Kingdom of Great Britain and Northern Ireland has been elected a member of the International Court of Justice for a term of office expiring 5 February 2000.

I should like to congratulate Ms. Higgins and wish her every success in the high office to which she has been elected. I should also like to thank the tellers for their assistance.

The Security Council has thus concluded its business for this meeting.

*The meeting rose at 11.35 a.m.*